

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

AGRO-FARMA, INC.,

Plaintiff,

**Case No.: 3:09-CV-315
(TJM/DEP)**

v.

**STONYFIELD FARM, INC., SCHREIBER FOODS,
INC. and HONEST WEIGHT FOOD COOPERATIVE,
INC.,**

Defendants.

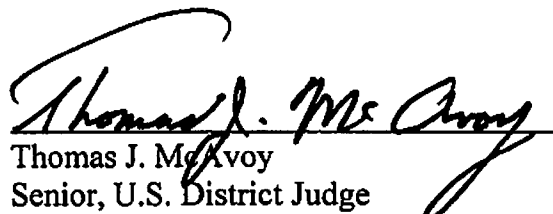
**THOMAS J. McAVOY,
Senior United States District Judge**

DECISION & ORDER

For the reasons articulated from the bench on April 13, 2009, Plaintiff's motion to remand this action to state court, dkt. # 8 , is **DENIED**. Also for the reasons articulated from the bench on April 13, 2009, the Court *sua sponte* **DISMISSES** all claims against Defendant HONEST WEIGHT FOOD COOPERATIVE, INC. pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED

DATED: April 14, 2009


Thomas J. McAvoy
Senior, U.S. District Judge